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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,908	08/25/2003	Allan Wirth	108-133USANA0	2327
7590	12/05/2006			EXAMINER ALLEN, STEPHONE B
Thomas J. Perkowski, Esq., P.C. Soundview Plaza 1266 East Main Street Stamford, CT 06902			ART UNIT 2878	PAPER NUMBER

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)
	10/647,908	WIRTH, ALLAN
	Examiner	Art Unit
	Stephone B. Allen	2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 17 January 2006 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

The amendment introduces a 35 USC 112 problem , "(i.e. phase error)" that would be improper, if entered.



Stephone B. Allen
Primary Examiner
Art Unit: 2878